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8 PROBUILDERS SPECIALTY INSURANCE COMPANY



10/27/2011

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 PROBUILDERS SPECIALTY INSURANCE )  
13 COMPANY, RRG, a District of Columbia, Risk )  
Retention Group, )

14 Plaintiff, )

15 v. )

16 VALLEY CORP. B., a California Corporation )  
17 formerly known as R.J. HAAS CORP.; R.J. )  
18 Haas, an individual; TY LEVINE, an )  
individual; and KAREN LEVINE, an )  
individual, )

19 Defendants. )  
20

CASE NO.: CV10 -05533-EJD

STIPULATION RE JUDGMENT

21 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff PROBUILDERS  
22 SPECIALTY INSURANCE COMPANY, RRG, ("ProBuilders") and Defendant TATSUKO  
23 ADACHI ("Mrs. Adachi"), that Mrs. Adachi will be bound by the Judgment that ProBuilders obtains,  
24 in the instant action, with respect to ProBuilders' claim for Declaratory Relief as to rescinding  
25 ProBuilders policy no. COM 5010992 ("the ProBuilders Policy").

26 WHEREAS Plaintiff filed its Second Amended Complaint on July 12, 2011;

27 WHEREAS Plaintiff's Second Amended Complaint named Mrs. Adachi as a Defendant,  
28 based upon her status as an additional insured under the ProBuilders Policy;

WHEREAS, in the instant action, ProBuilders seeks to rescind the ProBuilders Policy based

1 upon alleged misrepresentations made by Valley Corp. B, a California Corporation formerly known  
2 as R.J. Haas Corp.;

3 WHEREAS, in the instant action, the only claim for relief alleged against Mrs. Adachi is  
4 ProBuilders' Third Claim for Relief for Declaratory Relief regarding ProBuilders' claim for  
5 rescission;

6 WHEREAS, ProBuilders has provided Mrs. Adachi with a copy of the Second Amended  
7 Complaint, in the instant action;

8 WHEREAS, Mrs. Adachi has reviewed the Second Amended Complaint, in the instant  
9 action;

10 WHEREAS, Mrs. Adachi would like to avoid making an appearance in the instant action;

11 WHEREAS, ProBuilders has advised Mrs. Adachi that she should consult with an attorney  
12 before executing the instant Stipulation;

13 WHEREAS, Mrs. Adachi has agreed to be bound by the Court's determination of  
14 ProBuilder's Third Claim for Relief for Declaratory Relief regarding ProBuilders' claim for  
15 rescission;


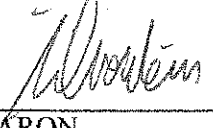
16 THEREFORE, ProBuilders and Mrs. Adachi Stipulate that (1) ProBuilders' will not serve  
17 the Summons and Second Amended Complaint upon Mrs. Adachi, in the instant action; (2) Mrs.  
18 Adachi will be bound by the Court's determination of ProBuilder's Third Claim for Relief for  
19 Declaratory Relief regarding ProBuilders' claim for rescission, in the instant action; and (3)  
20 ProBuilders and Mrs. Adachi shall bear their own costs and fees, in the instant action.

21 **IT IS SO STIPULATED.**

22 DATED: ~~September~~ 21, 2011  
23 October

YARON & ASSOCIATES

24 By:

25   
26   
27 GEORGE D. YARON  
28 JAMES I. SILVERSTEIN  
HIELAM CHAN  
Attorneys for Plaintiff  
PROBUILDERS SPECIALTY INSURANCE  
COMPANY, RRG

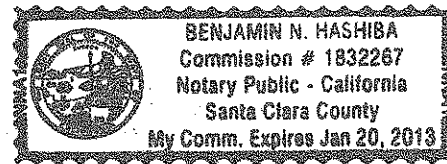
OCTOBER 11,  
DATED: ~~September~~ <sup>OCTOBER</sup> 11, 2011

By: Tatsuko Adachi

TATSUKO ADACHI

SUBSCRIBED and SWORN to before me  
this 11 day of ~~September~~ <sup>OCTOBER</sup>, 2011

Benjamin N Hashiba  
BENJAMIN N. HASHIBA  
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

I am over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is **Yaron & Associates, 601 California Street, Suite 2100, San Francisco, California 94108.**

On **October 26, 2011**, I served the within:

**STIPULATION RE JUDGMENT**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

*TO ALL PARTIES ON THE ECF SERVICE LIST*

\* **VIA ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients through PACER. Upon completion of electronic transmission of said document(s), a receipt is issued to serving party acknowledging receipt by PACER's system. Once PACER has served all designated recipients, proof of electronic service is returned to the filing party which will be maintained with the original document(s) in our office. This service complies with CCP §101.6.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on **October 26, 2011**, at San Francisco, California.

  
**LYDIA BURTON**

lbarton@yaronlaw.com